

DOCKET NO.: P-9406.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE and AMENDMENT TRANSMITTAL

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Applicants: Padua, et al.
 Serial No.: 10/027,655
 Filed: December 20, 2001
 Title: Electrically Responsive Promoter System

Examiner: Popa, Ileana
 Group Art Unit: 1633
 Docket: P-9406.00

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.6(d): I hereby certify that this Response and Amendment Transmittal and the paper(s), as described herein, are being transmitted by facsimile at 571-273-8300 to the U.S. Patent Trademark Office in accordance with 37 C.F.R. §1.6(d) to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of APRIL, 2006.

Janita I. Traufer
 Janita I. Traufer

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

Response and Amendment Transmittal
 Reply Under 37 CFR 1.11 & Amendment Under 37 CFR 1.121
 Pending Claims as Amended (Marked-Up Version)

FEE CALCULATION

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	32 -	52 =		x 50	\$00.00
Independent Claims	3 -	5 =		x 200	\$00.00
Multiple Dependent Claims	2	4 =		+ 360	\$00.00
					TOTAL \$00.00

Applicant hereby petitions for a 1 month extension of time. (The one-month deadline of March 25, 2006 fell on a Saturday. See 37 C.F.R. 1.7(a)). If an additional extension of time is required, please consider this a petition therefore.

Charge Deposit Account No. 13-2546 the sum of \$120.00.

Please charge any additional fees or credits to Deposit Account No. 13-2546 that may have been overlooked on this Response and Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

April 5, 2006

Kenneth J. Collier
 Kenneth J. Collier, Reg. No. 34,982
 Customer Number 27581
 Telephone: (763) 505-2521

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Facsimile Cover Sheet

MEDTRONIC LAW DEPARTMENT – CONFIDENTIAL**P-9406.00**

To: Office of Petitions
Company: U.S. Patent and Trademark Office
Phone:
Fax: 571-273-8300

From: Kenneth J. Collier
Phone: 763-505-2521
Fax: 763-505-2530

Date: April 5, 2006
**Pages including
this cover page:** 29

RE: Medtronic Docket: P9406.00
Serial No. 10/027,655
Applicants: Padua, et al.
Filed: December 20, 2001
Title: Electrically Responsive Promoter System
Examiner: Popa, Ileana Group Art Unit: 1633
Attached are the following documents:
 Response and Amendment Transmittal
 Reply Under 37 CFR 111 & Amendment Under 37 CFR 1.121
 Pending Claims as Amended (Marked-Up Version)

NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTAL FORM. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY Juanita Traufler at (763) 505-2523. THANK YOU.

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date appearing below.

Medtronic Inc.

By *Juanita I. Traufler* Date *April 5, 2006*
Juanita I. Traufler

PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) :	Padua, et al.)	
Serial No. :	10/027,655)	Group Art Unit
Filed :	December 20, 2001)	1633
For :	Electrically Responsive Promoter System)	Examiner
Docket No. :	P9406.00)	Popa, Ileana

REPLY UNDER 37 C.F.R. 1.11 &
AMENDMENT UNDER 37 C.F.R. 1.121

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicants enclose their response to the Office action mailed 12/05/2005 to the above captioned application. Along with the submitted response is Applicants' request and payment for a one month extension of time. Payment for the one month extension of time and any other fees associated with this application should be charged to Medtronic's account number 13-2546.

The present status of the claims after the 12/05/2005 office action is as follows:

K:\MBC Patent And Contract\Applications\P9406\Office Action\P9406.00 Response to Office Action 12-5-05.doc

04/06/2006 CCHEU1 00000057 132546 1002755
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